

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

PHYLLIS L. NEELY,

Plaintiff,

v.

**JO ANNE B. BARNHART,
Commissioner of Social Security,**

Defendant.

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CIVIL NO. 3:06CV89

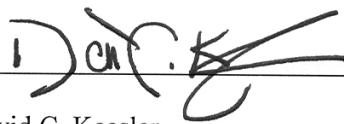
O R D E R

THIS MATTER is before the Court on Plaintiff's "Petition For Attorney's Fee and Costs" filed on August 1, 2006 (document #13). By Response filed on August 11, 2006, Defendant advises that the Commissioner will not oppose an award of legal fees in the amount of \$432.50, provided this is the only petition filed by Plaintiff in this case under 28 U.S.C. §2412(d).

NOW THEREFORE, IT IS ORDERED:

1. Plaintiff's "Petition For Attorney's Fees And Costs" (document #13) is **GRANTED**, that is, counsel for Plaintiff shall be paid the sum of \$432.50.
2. No additional petition pursuant to 28 U.S.C. §2412(d) shall be filed.
3. The Clerk is directed to serve copies of this Order to counsel for the parties.

Signed: August 14, 2006



David C. Keesler
United States Magistrate Judge

